

Appln No. 09/711,648

Amdt date December 15, 2004

Reply to Office action of September 20, 2004

REMARKS/ARGUMENTS

Claims 1-35 and 39 now remain pending in this application. Applicants have canceled claims 36-38, 40 and 41, and have amended claims 1, 23 and 39. Applicants have also amended claim 34 solely to correct a minor, inadvertent typographical error, without affecting the scope of that claim. The amendments find full support in the original specification, claims and drawings. No new matter is presented. In view of the above amendments and following remarks, Applicants respectfully submit that each of pending claims 1-35 and 39, as amended, are in condition for allowance. Applicants, therefore, respectfully request a timely indication of allowance.

In the Final rejection dated September 20, 2004, the Examiner objected to the specification as failing to provide proper antecedent basis for the "means for monitoring the penetration of the injection needle" recited in claims 36-41. However, the Examiner allowed claims 9-11, 17-20, 22, 32, 33, 38 and 39. Applicants have canceled claims 36-38, 40 and 41, and Applicants have amended claim 39 solely to remove the means-plus-function language referred to above.

In addition, the Examiner objected to claims 36, 37, 40 and 41 as being dependent on rejected base claims, but indicated that these claims would be allowable if rewritten in independent form. As Applicants have canceled claims 36 and 40, Applicants added the limitations of claims 37 and 41 to independent claims 1 and 23, respectively. As such, independent claims 1 and 23, as amended, are allowable.

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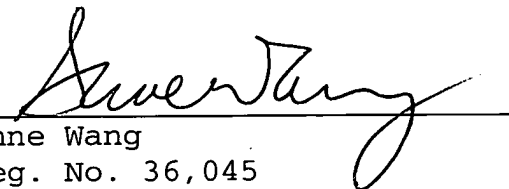
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The Examiner also rejected claims 1-18, 12-16, 21, 23-31, 34 and 35 under either 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a) as either anticipated by Edwards, et al. (U.S. Patent No. 5,435,805) ("Edwards '805"), unpatentable over Edwards '805, or unpatentable over Edwards '805 in view of Edwards (U.S. Patent No. 5,599,294) and further in view of Edwards (U.S. Patent No. 5,370,675). However, Applicants have amended independent claims 1 and 23 to include the limitations of allowable claims 37 and 41, respectively. Accordingly, amended independent claims 1 and 23, as well as all claims dependent therefrom, including claims 2-18, 12-16, 21, 24-31, 34 and 35, are allowable.

In light of the above amendments and remarks, Applicants respectfully submit that all of pending claims 1-35 and 39 are in condition for allowance. Applicants therefore respectfully request a timely indication of allowance. If there are any remaining issues that can be addressed by telephone, Applicants invite the Examiner to contact the undersigned at the number indicated below.

Respectfully submitted,

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